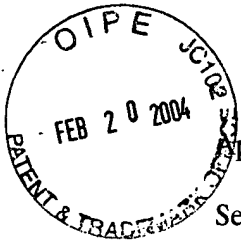


Docket No. F-6931



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tsuyoshi KAITO, et al.
Serial No. : 09/829,296
Filed : April 9, 2001
For : NON-AQUEOUS ELECTROLYTE RECHARGEABLE BATTERY
Group Art Unit : 1745
Examiner : Dah Wei D. Yuan
Confirmation No. : 6886
Customer No. : 000028107

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on February 17, 2004

Herbert F. Ruschmann

(Name)

(Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUMMARY OF INTERVIEW IN ACCORDANCE WITH
37 CFR 1.133(b)**

Sir:

In accordance with 37 CFR 1.133(b) applicant submits the remarks below summarizing the telephonic interview with the Examiner conducted on December 1, 2003.

REMARKS

1. Exhibits shown: None.

2. Claims discussed: 1

3. Prior art discussed: Pat. No. US 6,342,826 (Quinn)

4. Proposed amendments discussed: None

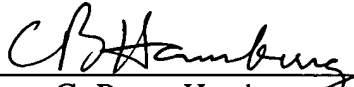
5. General thrust of principal arguments presented: The Quinn reference failed to show a short circuit of the battery electrodes, the switch element was not shown short circuiting the battery electrodes, the Examiner inappropriately modified embodiments with connections of other embodiments to arrive at an anticipation rejection, and that connection of a switch element as a sensor to a logic control circuit which controls a charger does not teach the switch element forming a short circuit across the battery electrodes.

6. Other pertinent matters discussed:

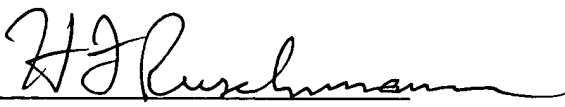
7. General results or outcome of interview: No agreement was reached.

Respectfully submitted,

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by and,

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